IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.4673 OF 2005
IN
FIRST APPEAL NO.2102 OF 2005

Smt Leela Parasmal Jain ... Applicant

Versus

Municipal Corporation for Gr. Bombay ... Respondent

Shri N.N.Vaishnava i/by for the Applicant.
Shri J.J.Xavier for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : FEBRUARY 12, 2007.

P.C.:

1. Heard Advocates appearing for the parties. First Appeal has been admitted for final disposal. Hence, suit structure will have to be protected subject to compliance with certain conditions.

2. Hence, Civil Application is disposed of by passing following order:

(i) There will be interim relief in terms of prayer clause (a) subject to condition of the Applicant filing in this court an undertaking stating therein that she will not create any third party interests in respect of the disputed structure and that she will not carry out in any additions or alterations to the suit structure without

permission of this court.

(ii) If the undertaking is not filed in this court within a period of three weeks from today, interim relief will stand vacated automatically without further reference to the court.

(iii) There will be no orders as to costs.

Judge.